IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.MANIKUMAR

H.C.P.No.681 of 2006

Subramani .. Petitioner

-vs-

1.The State of Tamil Nadu
rep. by the Sub Inspector of Police
Pallipalayam Police Station
Thiruchengodu Taluk, Namakkal District.

2. Cable Kandhan

3. Vasu .. Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to direct the respondent No.1 to produce the body of petitioner's daughter-in-law viz.,Sangidha who has been now illegally detained and confined in the house of Respondents No.2 and 3, Door No.5.6.321 K.S.Nagar, Alamedu, Pallipalayam, Thiruchengodu Taluk, Namakkal District before this Court and set the detenue Sangidha at liberty.

For Petitioner : Mr.T.R.Radhakrishnan
For Respondents : Mr.M.Babu Muthu Meeran,
Addl. Public Prosecutor
Ms. P.T.Asha for R2 and R3

O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

The petitioner, by name Subramani has filed this petition seeking direction to the first respondent for production of his daughter-in-law, by name Sangidha who has been illegally detained and confined in the house of respondents 2 and 3 at Door No.5.6.321 K.S.Nagar, Alamedu, Pallipalayam, Thiruchengodu Taluk, Namakkal District.

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2. Pursuant to our direction, the detenue Sangidha appeared before us. According to her, she is aged about 24 years. She also informed that she married one Nagaraj in the year 1999 and she is having two children. On our further enquiry, she expressed that she had some misunderstanding with her husband and at this moment, she is not willing to live with her husband and according to her, she is residing with her brother, the third respondent herein. She also informed us that the second respondent is a friend of her brother/third respondent. It is also brought to our notice that she filed O.P.No.100 of 2006 on the file of the Sub Court, Namakkal for divorce and the same is pending.

3. Taking note of the assertion and the stand taken by the detenue and of the fact that she is not under illegal detention or custody of anyone including the third respondent and also of the fact that she has already approached the appropriate Court for divorce, we are of the view that no further adjudication is required in this petition. The aggrieved persons are at liberty to approach the concerned Court to vindicate their remedy, if any, in the manner known to law. With the above observation, this petition is closed.

gms

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Sub Inspector of Police
   Pallipalayam Police Station
   Thiruchengodu Taluk, Namakkal District.

2. The Public Prosecutor,
   High Court, Madras.

1 cc To Mr.T.R.Radhakrishnan, Advocate, SR.34581.
1 cc To Sarvabhuman Associates, Advocate, SR.34103.

H.C.P.No.681 of 2006

AK(CO)
RVL 10.08.2006

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